

COMMITTEE ON FINANCE
(Standing Committee of Berkeley County Council)

Chairman: Mr. Steve M. Vaughn, District No. 5

Members: Mr. Milton Farley, District No. 1
Mrs. Judith K. Spooner, District No. 2
Mr. William E. Crosby, District No. 3
Mr. Charles E. Davis, District No. 4
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr. District No. 7
Mr. Henry L. Richardson, Jr., District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

The COMMITTEE ON FINANCE met on Monday, April 15, 2002, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, at 7:29 p.m.

PRESENT: Mr. Steve M. Vaughn, Councilmember District No. 5, Chairman; Mr. Milton Farley, Councilmember District No. 1; Mrs. Judith K. Spooner, Councilmember District No. 2; Mr. William E. Crosby, Councilmember District No. 3; Mr. Charles E. Davis, Councilmember District No. 4; Mrs. Judy C. Mims, Councilmember District No. 6; Mr. Caldwell Pinckney, Jr., Councilmember District No. 7; Mr. Henry L. Richardson, Jr., Councilmember District No. 8; Mr. James H. Rozier, Jr., Supervisor, ex officio; Mr. D. Mark Stokes, County Attorney; and Ms. Barbara Austin, Clerk of County Council..

The requirements of the Freedom of Information Act have been complied with by posting the time, date, place and agenda of this meeting of Berkeley County Council at the entrance to the Berkeley County Office Building, 223 N. Live Oak Drive, Moncks Corner, South Carolina, and a copy of such notice was mailed to all Councilmembers, the media, and other interested citizens.

Chairman Vaughn called the meeting to order and asked the Committee's pleasure on the Approval of Minutes for March 18, 2002 and March 25, 2002.

It was moved by Councilmember Pinckney and seconded by Councilmember Spooner to approve the Minutes as presented. The motion passed by unanimous voice vote of the Committee.

Next on the agenda was Ms. Carol Grant, MIS Director, Re: Transfer of funds within Department.

Ms. Grant addressed the committee in regard to the items as presented in her letter, copies of which had been placed in the members' folders. She explained three positions in the department should be upgraded; one of those is now vacant due to retirement, and the position should be posted. These positions were changed to 40-hour exempt and the grading had not been changed. The upgrade would not require any additional funding.

Ms. Grant explained the next item would fund a payout in the amount of \$14,686.68 for annual leave for a long-term employee that had recently retired. She asked that this amount come from Contingency; the funds would allow her to fill the position. Councilmember Pinckney asked how many days annual leave did the employee have? Ms. Grant responded she did not know, but he did have 101 hours of compensatory time and had over 600 hours of regular time.

Ms. Grant continued that the third item was a request to use the remaining funds in the Lease Purchase agreement to buy computer equipment for the MIS Department and PC equipment for 10 other County Departments.

Supervisor Rozier explained these items were requested in next year's budget and the money is available in the Lease Purchase that could be used to purchase those items without having to put them in the budget for next year.

It was moved by Councilmember Spooner and seconded by Councilmember Pinckney to approve the items as requested by Ms. Carole Grant, MIS Director. The motion passed by unanimous voice vote of the Committee.

Item B was Review of Departmental work schedules.

Supervisor Rozier stated this item entails a discrepancy in departments where some are working 40 hours and others 35. He stated he would bring the numbers to Council next week to solve this problem without money from Contingency.

This item is being held until the Regular Council Meeting on April 22, 2002.

Next was Consideration of a Resolution to modify the Berkeley County Government Personnel Manual to delete Section 4.18 (A) (4) in its entirety and Section 4.20 in its entirety.

Mr. Stokes explained, "This provision is in regard to prohibited activities by employees. A recommendation was made by Human Resources that the Resolution regarding this particular section to delete "prohibitions with regard to a candidate from public office." Specifically the proposed Resolution would delete "4.18, Section 4, which prohibits and individual from being a candidate in a partisan election for any public office except as provided herein." That leads to "Section 4.20, which requires the employee to take at least 30 days leave prior to the Primary Election or the General Election." There is a provision in the manual that this does not apply to Elected Officials and the appointees filling an interim term shall be considered the Elected Official for purposes of this section. Human Resources' recommendation, in concurrence with the Legal Department, is to delete those provisions in order to avoid any equal protection, lawsuits or arguments requiring individuals to take leave of absence. The policy within the Human Resources' Personnel Manual prohibits the on the job politicking by the employee; so, we are protected in that regard. Any employee except for Elected Officials who are already serving are required to take 30 days leave in order to run for a partisan office. This deletion

would eliminate the requirement that leave is mandated. It is up to the employee as to whether or not he/she wants to actually take leave.

Chairman Vaughn asked does that affect anyone? Mr. Stokes responded it would affect the candidate that is running for Coroner.

It was moved by Councilmember Davis and seconded by Councilmember Richardson to allow the changes to the Personnel Manual as stated. The motion passed by unanimous voice vote of the Committee.

Item D, Consideration of a Resolution to consent to the Transfer of Control and Internal Reorganization of Comcast Corporation to AT&T Comcast Corporation as Franchisee for cable television service within Berkeley County.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to send the Resolution regarding internal reorganization of Comcast Corporation to AT&T Comcast Corporation to Council for adoption. The motion passed by unanimous voice vote of the Committee.

Item E, Consideration of a Resolution authorizing the Berkeley County Supervisor to execute an agreement with CCED (Coordinating Council for Economic Development).

Supervisor Rozier stated the County is presently working with this prospect. The State has allowed \$32,500 for certain soil borings to determine the quality of the soil for building and this is a grant to the County to pay the bill.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to send the Resolution authorizing the Supervisor to execute an agreement with CCED to Council for adoption. The motion passed by unanimous voice vote of the Committee.

Item F, Consideration prior to First Reading of the following:

1. An Ordinance providing appropriations for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for Berkeley County; to provide for levy of taxes on all taxable property in Berkeley County for all county purposes; to provide for the expenditures of said taxes and other revenues coming into the county for the fiscal year.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to send the Budget Ordinance for Berkeley County to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

2. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Devon Forest Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Devon Forest Special Tax District during the fiscal year.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to send the Budget Ordinance for the Devon Forest Special Tax District to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

3. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Pimlico Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.

It was moved by Councilmember Spooner and seconded by Councilmember Farley to send the Budget Ordinance for the Pimlico Special Tax District to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

4. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Sangaree Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.

It was moved by Councilmember Spooner and seconded by Councilmember Davis to send the Budget Ordinance for the Sangaree Special Tax District to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

5. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Tall Pines Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to send the Budget Ordinance for the Tall Pines Special Tax District to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

6. An Ordinance providing for the adoption of fiscal year 2002-2003 (beginning July 1, 2002 and ending June 30, 2003) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for water and sewer and solid waste service by the Berkeley County Water and Sanitation Authority.

It was moved by Councilmember Spooner and seconded by Councilmember Crosby to send the Budget Ordinance for Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund to Council for First Reading. The motion passed by unanimous voice vote of the Committee.

Item G, Review prior to Third Reading of the following:

1. Bill No. 02-05, An Ordinance to amend Ordinance No. 01-6-19, adopted June 25, 2001, to provide for supplemental appropriations and allocations thereof within the 2001-2002 budget for Berkeley County; and other matters pertaining thereto.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 02-05 to Council for third and final Reading. The motion passed by unanimous voice vote of the Committee.

2. Bill No. 02-06, An Ordinance authorizing Berkeley County, South Carolina to amend and clarify certain sections of the FILOT documents (as such term is defined herein) with Corning Incorporated.

It was moved by Councilmember Crosby and seconded by Councilmember Spooner to send Bill No. 02-06 to Council for third and final reading. The motion passed by unanimous voice vote of the Committee.

Supervisor Rozier stated he had a meeting with Staff on April 12, 2002 and the freeze on hiring and spending has been extended in an effort to have funds to roll over to next year's budget. He stated that next year's budget is becoming exceedingly difficult to balance.

Chairman Vaughn stated the Committee needs to set a proposed date if they are planning to have a budget workshop. Supervisor Rozier stated it is his intention to present a budget at the Finance Committee meeting next month. Chairman Vaughn stated that when the budget is presented they would set a date.

Supervisor Rozier stated they received a response from the Attorney General's Office in regard to the request by Mr. Davis. He read the letter as follows:

"Dear Mr. Davis:

SLED has looked into your concerns regarding Berkeley County funds. After reviewing the information given to me by SLED, I do not find sufficient evidence of criminal wrongdoing to proceed any further. As you know, SLED only investigates criminal matters and that is the scope of this office's inquiry as well. This letter should not be construed to comment on the existence or non-existence of violations of civil law or policy. It is my understanding that a request by you for specific records related to a specific issue will be handled by the County. By copy of this letter I am confirming this with Berkeley County Attorney Mark Stokes.

With kindest regards, I am,

Sincerely,

Kim S. Aydlette

Assistant Deputy Attorney General Supervisor
Prosecution Section.”

Supervisor Rozier stated he would be happy to respond when a request is made to him.

Councilmember Davis stated, “You will be contacted by my attorney.”

It was moved by Councilmember Mims and seconded by Councilmember Crosby to adjourn. The motion passed by unanimous voice vote of the Committee.

The Meeting adjourned at 7:45 p.m.

May 13, 2002
Date Approved

COMMITTEE ON FINANCE
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Members: Mr. Milton Farley, District No. 1
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Mr. Charles E. Davis, District No. 4
Mrs. Judy C. Mims, District No. 6
Mr. Caldwell Pinckney, Jr., District No. 7
Mr. Henry L. Richardson, Jr., District No. 8
Mr. James H. Rozier, Jr., Supervisor, ex officio

A meeting of the COMMITTEE ON FINANCE, Standing Committee of Berkeley County Council, will be held on Monday April 15, 2002, in the Assembly Room, Berkeley County Office Building, 223 North Live Oak Drive, Moncks Corner, South Carolina, following the meeting of the Committee on Public Works and Purchasing, the Committee on Land Use, and the Committee on Planning and Development at 6:00 p.m.

AGENDA

Approval of Minutes: March 18, 2002
March 25, 2002

- A. Ms. Carol Grant, MIS Director, Re: Transfer of funds with in Department.
- B. Review of Departmental work schedules.
- C. Consideration of a Resolution to modify the Berkeley County Government Personnel Manual to delete Section 4.18(A)(4) in its entirety and Section 4.20 in its entirety.
- D. Consideration of a Resolution to Consent to the Transfer of Control and Internal Reorganization of Comcast Corporation to AT&T ComCast Corporation as Franchisee for cable television service within Berkeley County.
- E. Consideration of a Resolution authorizing the Berkeley County Supervisor to execute an agreement with CCED (Coordinating Council for Economic Development).
- F. Consideration prior to First Reading of the following:
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3. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Pimlico Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Pimlico Special Tax District during the fiscal year.
4. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Sangaree Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Sangaree Special Tax District during the fiscal year.
5. An Ordinance providing for the fiscal year beginning July 1, 2002, and ending June 30, 2003, for the Tall Pines Special Tax District operational budget; and to provide for the expenditures of the revenues received by the Tall Pines Special Tax District during the fiscal year.
6. An Ordinance providing for the adoption of fiscal year 2002-2003 (beginning July 1, 2002 and ending June 30, 2003) budgets for the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund; establishing operational, debt service, and capital improvement budgets for water and sewer; and to provide for the expenditures of revenues coming into the Berkeley County Water and Sanitation Authority and the Berkeley County Water and Sanitation Authority Solid Waste Fund during the fiscal year, and to amend the Code of Ordinances, Berkeley County, South Carolina, setting rates, charges and penalties for water and sewer and solid waste service by the Berkeley County Water and Sanitation Authority.

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2. Bill No. 02-06, An Ordinance authorizing Berkeley County, South Carolina to amend and clarify certain sections of the FILOT documents (as such term is defined herein) with Corning Incorporated.

April 10, 2002
S/Barbara B. Austin
Clerk to County Council